



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Accepting Improvements at 620 South Cherokee Lane and Appropriating Funds for Required Reimbursement (\$16,000)

MEETING DATE: December 1, 2004

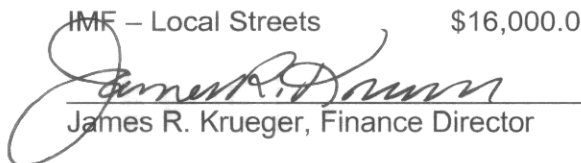
PREPARED BY: Public Works Director

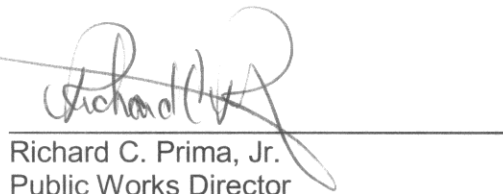
RECOMMENDED ACTION: That the City Council adopt a resolution accepting the development improvements for 620 South Cherokee Lane and appropriating \$16,000 for the required reimbursements.

BACKGROUND INFORMATION: Public improvements at 620 South Cherokee Lane have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and Progenitor Holding Company III, LLC, as approved by the City Council on April 7, 2004, and as shown on Drawings No. 003D053-01 through 003D053-04.

The developers are entitled to reimbursement by the City for 50% of the improvement costs associated with the traffic signal installation at the intersection of Cherokee Lane and Tokay Street, in conformance with LMC 16.40 Reimbursements for Construction. The contractor's original bid to the developer for the traffic signal work was \$168,682.00, and Council authorized the appropriation of \$85,000.00 when the improvement agreement was approved on April 7, 2004. During construction, the contractor incurred additional costs in relocating the controller, revising the striping, and performing additional concrete work. The developer has paid the contractor \$32,051.34 for this extra work and staff is now requesting Council approval to appropriate \$16,000.00 from the Development Impact Mitigation Fee Program – Local Streets to cover the City's participation in this work. The total reimbursement to the developers will be \$100,366.50.

FUNDING: IMF – Local Streets \$16,000.00


James R. Krueger, Finance Director

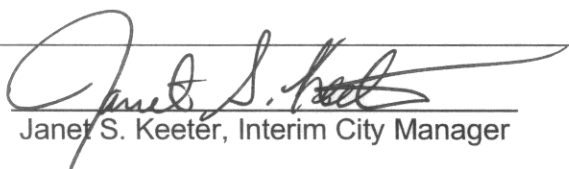

Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer
RCP/WKF/pmf

cc: City Attorney
Street Superintendent

Senior Civil Engineer - Development Services
Engineering Technician Supervisor

Senior Traffic Engineer

APPROVED: 
Janet S. Keeter, Interim City Manager

RESOLUTION NO. 2004-261

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING DEVELOPMENT
IMPROVEMENTS AT 620 SOUTH CHEROKEE LANE INCLUDED IN THE IMPROVEMENT
AGREEMENT BETWEEN THE CITY OF LODI AND PROGENITOR HOLDING COMPANY III,
LLC, AND FURTHER APPROPRIATING FUNDS FOR THE REQUIRED REIMBURSEMENT

The City Council of the City of Lodi finds:

1. That all requirements of the Improvement Agreement between the City of Lodi and Progenitor Holding Company III, LLC, for the improvements at 620 South Cherokee Lane have been substantially complied with. The improvements are shown on Drawing Nos. 003D053-01 through 003D053-04 on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on April 7, 2004; and
2. That the developers are entitled to reimbursement by the City for 50% of \$168,682.00, which represents the improvement costs associated with the traffic signal installation at the intersection of Cherokee Lane and Tokay Street, in conformance with Lodi Municipal Code §16.40, Reimbursements for Construction. The City Council previously appropriated \$85,000.00 on April 7, 2004, when the Improvement Agreement was approved; and
3. That the developers are entitled to reimbursement by the City for 50% of \$32,051.34, which represents the additional modifications required during construction, i.e. relocating the controller, revising the striping, and performing additional concrete work in the amount of \$16,000; and
4. That additional funds in the amount of \$16,000 be appropriated from the Impact Mitigation Fee – Local Streets Fund for reimbursement to the developer for the extra work performed in conformance with Lodi Municipal Code Chapter 16.40, Reimbursements for Construction.

Dated: December 1, 2004

I hereby certify that Resolution No. 2004-261 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 1, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen
NOES: COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk